

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:	:	
Ralph W. Davis	:	Case No. 06-26256JAD
	:	Chapter 13
Debtor(s)	:	
Bank of America Corporation	:	
	:	Related to Document # 95
Movant(s)	:	
	:	
vs.	:	
No Respondent Named	:	Hearing Date 5/2/12
	:	

**TRUSTEE'S RESPONSE TO MOTION FOR THE RECOVERY OF UNCLAIMED FUNDS**

Ronda J. Winnecour, Chapter 13 Trustee, respectfully represents the following:

1. Bank of America Corporation filed a Motion for Recovery of Unclaimed Funds, alleging that the reason Movant did not receive the funds is because the funds were sent to Countrywide Home Loans, which changed its name to BAC Home Loans Servicing, LP, which in turn merged with and into Bank of America, NA. However, this is inaccurate.
2. According to the Trustee's case notes, the Trustee received a refund check from Countrywide together with a letter indicating that the servicing of the loan had been released to Roundpoint Mortgage Servicing Corporation. The original letter has been archived in off-site storage, however.
3. No proof of assignment has been filed by Roundpoint, which is why the Trustee lodged the funds as unclaimed.
4. Before the funds are released to Movant, Movant should have to prove that it is entitled to the funds, as well as explain the basis for its return of the funds with the service released letter.

WHEREFORE, the Trustee respectfully requests that the motion be denied.

RONDA J. WINNECOUR,  
CHAPTER 13 TRUSTEE

Date: 4/25/12

by     /s/ Jana S. Pail      
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CERTIFICATE OF SERVICE

I hereby certify that on the 25<sup>th</sup> of April 2012, I served one true and correct copy of the foregoing document on the following parties in interest by United States first-class mail, postage prepaid, addressed as follows:

Joseph S. Sisca, Esquire  
Assistant U.S. Trustee  
Suite 970, Liberty Center  
1001 Liberty Avenue  
Pittsburgh PA. 15222

Ralph W. Davis  
2013 Dayna Drive  
College Park GA 30345

Gary Short, Esquire  
436 Seventh Avenue  
2317 Koppers Building  
Pittsburgh PA 15219

/s/Dianne DeFoor  
Office of Chapter 13 Trustee  
US Steel Tower – Suite 3250  
600 Grant Street  
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(412) 471-5566  
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